

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

MISC. ACTION NO. 23-00012-KD

IN RE:)
LISA MICHELLE COLLINS,)
Debtor.) BANKRUPTCY ACTION NO. 22-12152

LISA MICHELLE COLLINS,)
MICHAEL E. COLLINS, SR., and)
ESTATE OF DOROTHY WALDON)
COLLINS,)
Plaintiffs,) ADVERSARY ACTION NO. 22-1025
vs.)
RUSHMORE LOAN MANAGEMENT)
SERVICES, LLC; U.S. BANK)
NATIONAL ASSOC.; LOANCARE;)
and LAKEVIEW LOAN SERVICING,)
LLC.,)
Defendants.)

ORDER

This action is before the Court on the Joint Notice of Stipulated Dismissal with Prejudice filed by Plaintiff Lisa Michelle Collins and Defendants LoanCare and Lakeview Loan Servicing, LLC (doc. 18). Review of the document indicates that it is a duplicate of the Joint Notice of Stipulated Dismissal with Prejudice filed on October 29, 2024 (doc. 14).

The action between Plaintiff Lisa Michelle Collins and against Defendants LoanCare and Lakeview Loan Servicing, LLC was dismissed with prejudice on October 30, 2024 (doc. 15). Since the action between these parties has already been dismissed, the Joint Notice of Stipulated Dismissal with Prejudice (doc 18) is **MOOT**.

At present, an action remains pending between Plaintiff Lisa Michelle Collins and Defendant U.S. Bank National Assoc.

An action remains pending between Plaintiffs Michael E. Collins, Sr. and Estate of Dorothy Waldon Collins and Defendants U.S. Bank National Assoc., LoanCare and Lakeview Loan Servicing, LLC.

Defendant Rushmore Loan Management Services, LLC was dismissed with prejudice on July 25, 2024 (doc. 11).

The parties are reminded that the Court of Appeals for the Eleventh Circuit has held that all parties who have appeared, including parties who have been dismissed, must sign a joint stipulation. See City of Jacksonville v. Jacksonville Hospitality Holdings, L.P., 82 F. 4th 1031, 1038 (2023) (“And all means all ... a Rule 41(a)(1)(A)(ii) stipulation also requires the signature of a party that appeared but has already been removed from an action.”).¹

DONE and ORDERED this the 14th day of February 2025.

s/ Kristi K. DuBose
KRISTI K. DUBOSE
UNITED STATES DISTRICT JUDGE

¹ The Court takes judicial notice of the dismissal of Lisa Michelle Collins' bankruptcy action (See In re Collins, S.D. Ala. Bankruptcy Action No. 22-12152-HAC (doc. 124)) and the closure of the adversary proceeding which was removed to this Court (See Lisa Michelle Collins, et al., v. Rushmore Loan Management Services, LLC, et al., S.D. Ala. Adversary Action No. 22-01025-HAC (doc. 40)).